

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARIO E. CASTRO,

Plaintiff,

v.

THE BANK OF NEW YORK MELLON, AS
TRUSTEE FOR THE CERTIFICATE HOLDERS OF
CWALT, INC., ALTERNATIVE LOAN TRUST
2006-0A11 F/K/A THE BANK OF NEW YORK
MELLON, ALTERNATIVE LOAN TRUST 2006-
0A11; UNKNOWN DOE'S 1-12,000 *et al.*;
SHELLPOINT MORTGAGE SERVICING,
UNKNOWN DOE'S 1-12,000 *et al.*

Defendants.
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I, Jason D. St. John, declare as follows:

1. I am an attorney admitted to practice law before this Court and an associate at Akerman LLP, attorneys for defendants The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the Certificate Holders of CWALT, Inc., Alternative Loan Trust 2006-0A11 Mortgage Pass-Through Certificates Series 2006-0A11, incorrectly sued herein as "The Bank of New York Mellon, as Trustee for the Certificate Holders of CWALT, Inc., Alternative Loan Trust 2006-0A11 f/k/a The Bank of New York Mellon, Alternative Loan Trust Alternative Loan Trust 2006-0A11" (**BoNYM**) and NewRez LLC f/k/a New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing incorrectly sued herein as "Shellpoint Mortgage Servicing" (**Shellpoint**, collectively, **defendants**). I submit this declaration further supporting the defendants' opposition to plaintiff Mario Castro's motion to vacate the judgment.

2. Attached as **Exhibit A** are true copies of the notice of arbitration directed to the defendants and mailed to Akerman LLP—my law firm—the envelope in which it was enclosed, and the USPS tracking information for this envelope.

3. Attached as **Exhibit B** is a true copy of the defendants' response to the notice of arbitration, dated July 8, 2019, and FedEx information for this letter. I drafted and sent this letter to Mr. Castro on July 8, 2019, by FedEx.

4. Attached as **Exhibit C** is a true copy of the defendants' letter to Mr. Castro in response to the notice of an arbitration "award," dated July 19, 2019, and a copy of the corresponding FedEx label. I also drafted this letter and sent it to Mr. Castro by FedEx.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Dated: New York, NY
September 3, 2019



Jason D. St. John